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S&H Form: (10/03)
Attorney Docket No. 121.1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toshiki TANAKA et al.

Application No.: 09/783,527

Group Art Unit: 2633

Filed: February 15, 2001

Examiner: D. Payne

For: OPTICAL COMMUNICATION SYSTEM AND TRANSMISSION SECTION REPAIR
METHOD

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: After Final

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 4, 2004 finally rejecting claims 1-49.

The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

X Attached is a petition for a two-month extension of
time for reply to the final rejection. \$430.00

2. APPEAL FEE

X Other than a small entity 340.00

TOTAL FEE \$770.00

11/05/2004 EABUBAK1 00000073 09783527

01 FC:1401 340.00 OP
02 FC:1252 430.00 OP

3. PAYMENT

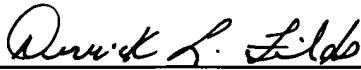
X Check attached for the total fee of \$ \$770.00.

X Charge Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 11-4-04

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